This simple but as yet altogether efficient agreement, promulgated under the presidency of James Monroe, is representative of an international "doctrine" which it is to be hoped may be perpetual between the two nations which subscribed to it.

In referring to this subject, however, I desire more particularly to call attention to the fact that the waters of the Strait of Magellan have also, since the year 1881, been internationally known as neutral. In compliance with the request made to the Department of State, several years after the above date, for the exact wording of the stipulation entered into between Chile and the Argentine Confederation, I received the following transcription (in Spanish) of the text of Article V. of said treaty:

"El Estrecho de Magallanes queda neutralizado en perpetuidad y asegurada su libre navegacion para las banderas de todas las Naciones. En el interes de asegurar esta libertad no se construiren en las costas fortificaciones ni defensas militares que puedan contrariar ese proposito." (The Strait of Magellan to remain perpetually neutral, and its free navigation assured to the flags of all nations. With the intent of securing this immunity, it is forbidden to construct on the coasts thereof any fortifications or military defenses which would defeat such purpose.)

In connection with this notable treaty, it is proper to state that it was largely effected through the good offices of the United States Ministers (both bearing the name of Osborn) at the capitals of Chile and the Argentine Confederation. Not only was the neutralization of the Strait secured, but a permanent settlement was reached of the long-standing dispute between the two republics as to their respective rights of ownership in the territory theretofore called Patagonia. Obviously the Anglo-Saxon had a hand in establishing that condition of assured amity between the republics which lately led them to make sale of their useless battleships, and to formally set up an emblem of perpetual concord on their Andean boundary line. JOSIAH W. LEEDS.

WESTCHESTER, PA., March 27, 1905.

What the United States Should Do to Promote a General Treaty of Obligatory Arbitration at the Next Hague Conference.

[Hon. Richard Bartholdt's view as given in an interview in the New York *Tribune*.]

The first fruit of the recent congress of the Interparliamentary Union was the action of President Roosevelt in calling the international conference for some early date at The Hague. The next material result was the negotiation of the arbitration agreements with England, Germany, France, Italy, Switzerland and Spain, but this was nullified by the action of the Senate. Of course, the attitude of the Senate was based on the belief that the treaty making right of that body under the constitution would be violated if the Executive could take the initiative in the adjustment of international differences. If they are right in that interpretation, it is certainly regrettable that the constitution presents an obstacle to the advancement of the cause of international arbitration. It is a fact, however, that the very senators who felt called on to defend the constitution are earnest friends of arbitration.

I was greatly depressed by the action of the Senate, and for a time felt that we had been set back a hundred years in the work for the world's peace; but I have come to entertain a different view of the situation. On Saturday last, accompanied by Hayne Davis, I called on the President, with whom we had a full and free interchange of views. I then said to the President that the practical rejection of the treaties by their amendment might not be such a calamity after all, but rather a blessing in disguise. I called attention to the fact that the treaties that had been negotiated were modeled after the Anglo-French treaty, which, for obvious reasons, would be somewhat restricted in its scope. Only judicial questions and those differences growing out of earlier treaty provisions came within the limitations of the agreements which are now regarded by the President as belonging to the category of closed incidents. It will now be possible, however, to formulate a treaty that will enumerate a large number of specific subjects, on which the contracting powers will be willing, if differences arise, to refer them for adjustment to the Hague Tribunal — questions that will not invade the inhibited field of national honor or independence or vital interest.

The subjects can, of course, only be determined by careful study, and the list may be utilized in variable measure — in whole or in part, as the contracting parties could determine. The result would be greatly to broaden the scope of the arbitration agreement, and enlarge its usefulness. This idea appealed to the President.

It would be my thought that the early appointment of the American representatives to the Hague Conference would make it possible for them to compare notes and propose subjects that could properly be regarded as admissible of arbitration. They could take the public into their confidence through the press, and popular sentiment would help to mould and refine the distinctively American view. Other powers would by this means also become cognizant of our attitude in advance of the conference at The Hague. I believe this means of enhancing the practical usefulness of international arbitration will appeal to the various powers already committed to the peace propaganda. I believe also that sympathetic action in the Hague Conference would go far to assure the subsequent exchange of ratifications, and that the cause of arbitration would so be broadened and its vital force extended.

A Business Man's View of the Senate's Action on the Arbitration Treaties.

[Mr. Arthur B. Farquhar, of York, Pa., Vice-President of the National Association of Manufacturers, a well-known manufacturer and political economist, and a most active supporter of the international arbitration and peace movement, has sent us the following communication which was recently published in the Philadelphia *Public Ledger*. We are very glad to reproduce it for our readers, the more so as Mr. Farquhar has recently become a member of the American Peace Society.]

The final consummation of a treaty is something that requires considerable time, under our form of government, owing to the necessity of a vote of two-thirds of the Senate in its favor to give it validity. More for that

reason than any other, doubtless, this country has been unable to keep its place at the front in the general movement of the nations to give full effect to the beneficent work of the Hague Conference. After the prominent and very creditable part taken by our representatives at that Conference and the readiness shown by us to submit a disagreement with Mexico to the arbitration of the Hague Tribunal, it might have been anticipated that no country on earth would step ahead of us in the work of securing to that tribunal continued vigor and usefulness. But the fact has been otherwise. Treaties between Great Britain and other European nations, providing for the submission of their disagreements to arbitration at The Hague, are now more than a year old, yet our country has concluded no such treaty. Our State Department has not been idle; eight admirable treaties of similar description have been for some months before the Senate; yet the labor of their preparation has come to nothing.

The point at issue between the Executive and the Senate is understood to be a single word. The treaties as originally drawn provided that the questions to be passed upon by the arbitrators should be settled by "agreement," but an overwhelming majority of Senators insist that the tribunal's work must be set for it by "treaty." The difference in the two words is that the latter does, while the former does not, require the affirmative action of two-thirds of the Senate to make an arbitration possible.

The practical effect of the change of the word is to convert the treaties before the Senate into waste paper; for what else is the treaty under which nothing can be done until another treaty is drawn up to set it in operation? John Doe, let us say, offers to deed me a tract of land, reserving the conditions that I am not to plant it, or pasture it, or build on it, without securing the right from him by a new contract — what is his first deed worth? Obviously, if there must be a later treaty, there need be no preliminary one.

The right of the Senate to insist on amendments to treaties on which it has to pass is not contested. That the Senate, in amending, will always see that its own powers and privileges are amply recognized may be taken for granted. Whether the desired recognition of senatorial powers and privileges was something important enough to justify a crippling of eight arbitration treaties, a halt when the country looked for a forward march, was a matter for that body to decide. Nevertheless, in the opinion of the people generally, the matter has been decided unwisely.

That the decision, moreover, is said to have been influenced by the interest of certain of our States in keeping the question whether the non-payment of their old obligations is or is not repudiation altogether out of foreign hands, is a circumstance not calculated to give us greater confidence in it. But whether this suggestion be true or untrue, there can be no doubt that the influences that led the Senate to amend the word "agreement" into the word "treaty" were influences antagonistic to the principle of international arbitration. In taking this step, that powerful body has gone a long way toward the camp of the opposition — dragging the unwilling country in its grasp. It has taken a long step backward.

Whether negotiations leading to international arbitration shall be made through the executive or legislative branch of our government is not in itself a matter with which the cause of arbitration is deeply concerned. The cause is concerned, however, with the efficiency of the agency to which it is intrusted, and on which all application of it depends. It is a grave mistake to depend for good work on an unwieldy tool. If what we desired were an arbitration that would not arbitrate, we could not find a more suitable means for attaining it than by committing it to the deliberative branch of our national government, a council which is more than half the time scattered throughout this huge country, and whose treatment of proposed treaties, when it happens to be in session, is illustrated by the fate of the Olney-Pauncefote arbitration treaty and the McKinley-Kasson reciprocity arrangements. By all who remember how tedious was the work of securing even the reciprocity treaty with Cuba, where the case was perfectly clear, and the need of prompt action all but universally recognized, the introduction of the Senate in the first stages of a diplomatic agreement would naturally be rejected as altogether too clumsy a method.

It is possible to think that this deliberative assemblage might allow itself to be represented by a permanent standing committee when not in session, but the thought is not encouraging. The French convention of 1792 had its "committee of public safety," which was by no means an unqualified success; and although the British government originates as a committee of the House of Commons, nothing could be more certain than that our Senate would never permit one of its committees to hold toward it the relations that a British administration holds to its creators. While legislative in origin, the British government is executive in essential character, and can therefore form no precedent in this case. Yet, if our Senate really contemplated making instead of obstructing agreements with foreign countries in the interests of peace, some such step as this, the formation ot a strong permanent committee to represent it during its sessions and during its recesses would have to be taken. There is no talk of doing such a thing, of course, and this is the most conclusive proof that the function of those ninety statesmen is essentially obstructive, not constructive.

The question whether Senate or Chief Executive is better qualified, personally or by the relation in which they relatively stand to the people, to conduct the foreign relations of the country, is one that need not be considered. The work of fixing the preliminaries of an international arbitration settlement calls at the same time for dexterity, delicacy and promptness, and is work which a legislative assemblage is unfitted by its very constitution to undertake. The request would seem at least reasonable, that with work which it is incapable of doing it should not unnecessarily interfere.

Some Suitable Inscriptions for the Gateways of Forts and Arsenals, and for Battleflags.

SELECTED BY MARY S. ROBINSON.

He maketh wars to cease unto the ends of the earth. — *Psalm xlvi. 9.*

He hath scattered the peoples who delight in war. — *Psalm lxviii. 30.*